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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, March 6, 2006, at noon.

## Senate

FRIDAY, MARCH 3, 2006

The Senate met at 9:45 a.m. and was called to order by the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, our Lord, help us to be aware of Your presence today. From the first blush of dawn to the wonder of the starry heavens, we behold Your creativity and beauty. Help us to see You in those around us. Give us a glimpse of Your compassion in those who seek to help the less fortunate. May we not forget to see You in the many deeds of kindness we witness each day.

Today, empower our Senators in their efforts to speak for the voiceless and to lift the downtrodden. May these leaders strive to please You in their thoughts, words, and deeds.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read as follows:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 3, 2006.

### To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. ISAKSON thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, this morning we will be returning briefly to the LIHEAP bill sponsored by Senator SNOWE. No rollcall votes will occur today, although Senators may come to the floor to address the LIHEAP issue.

In a moment I will file cloture on the bill. That cloture vote will occur on Tuesday under the provisions of rule XXII. I remind everyone that last night I scheduled votes on three district judges to occur at 5:30 on Monday. We will also begin debate on the lobbying reform bill early next week.

The Rules Committee and the Homeland Security and Governmental Affairs Committee have completed their work on lobbying reform and therefore we will be ready next week for full Sen-

ate consideration. I believe we can finish the LIHEAP measure and the lobbying reform bill next week. This will take full days of session and a lot of cooperation on both sides of the aisle. I do hope that we can stay on track and give the appropriate attention to both of these measures and conclude by the end of the week.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM, 2006

The ACTING PRESIDENT pro tempore. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 2320) to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006 and for other purposes.

Pending:

Kyl/Ensign amendment No. 2899, to make available funds included in the Deficit Reduction Act of 2005 for allotments to States for the Low-Income Home Energy Assistance Program for fiscal year 2006.

### CLOTURE MOTION

Mr. FRIST. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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## CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the standing rules of the Senate, do hereby move to bring to a close debate on S. 2320, a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

William Frist, Lamar Alexander, Ted Stevens, Pat Roberts, Robert F. Bennett, George Allen, Pete V. Domenici, Rick Santorum, Gordon Smith, John Thune, Richard G. Lugar, Arlen Specter, Mitch McConnell, Lincoln D. Chafee, Lisa Murkowski, Mike DeWine, David Vitter.

Mr. FRIST. Mr. President, I ask unanimous consent the live quorum be waived and that this vote occur on Tuesday, March 7, following the period for morning business and a 1-hour period of equally-divided debate on LIHEAP.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. For schedule purposes, we now have up to three votes scheduled for Monday on three U.S. district judges, as well as the cloture vote on LIHEAP which will occur Tuesday morning, sometime prior to the policy meetings.

I expect that today will be a relatively short session. If Senators do wish to come to the floor to speak, they should do so as soon as possible this morning.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I ask unanimous consent to speak as if in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ENERGY

Mr. THOMAS. Mr. President, I know we will not be in very long today. As a matter of fact, I am going to Wyoming in a little bit. There are some things I have wanted to talk about for some time, and since we have some time this morning, I thought I might take a few minutes to talk a bit about energy.

We, of course, have been on a number of other things, and unfortunately taking a long time to do them. But I hope we get back to those things that are really vital to us in terms of the economy, in terms of jobs, in terms of health care, and terrorism. But one of the most important questions, of course, that we face is the question of energy.

Sometimes I think we forget how vital and what such a part of our lives

energy is. All we have to do is look around and turn the lights off or turn the heat off for a little while and we recognize how important it is. We have talked about it a great deal.

As a matter of fact, last year one of the most important and vital things that we did was to put together a policy on energy. I think it was a very good policy. It is a policy that is in effect. The fact is, however, it is a policy, as it should be, but then we should be faced with and take on the responsibility of implementing that policy. It is one thing to have a policy, and it is very important to have one, but then you have to put something in place to cause the policy to be in action. I think that is where we are now.

Being part of the committee, I may be a little prejudiced. I think the policy was a good one and looked forward to the future and took into account things such as conservation and efficient use. That is a very important part.

One of the things we really have to stress is how we can get more mileage out of the energy we have. We also looked—again importantly—at the idea of alternative sources of energy. Over time, we can look at wind energy, we can look at ethanol, we can look at Sun energy—all kinds of things out there. And we should.

The fact is, most of those—even though I think they have great potential and will be a real part of our lives in the future—are out there waiting.

The other thing we talked about, however, in the policy is to make better use of those things that are already available to us. That is really what I want to talk about for a couple of minutes this morning; that, specifically, is coal. Coal is our largest fossil fuel resource. As a matter of fact, we have the largest supply of coal in the world that we can depend on in the future. About 27 percent of future coal is in the United States. We use a great deal of it right now generating electricity by and large, but the fact is, even though we are using train loads to run a generator for 1 day, we still have the resources to do this for a good long time in the future.

However, there are some things pending we can be doing in the fairly short term that will have a real impact. If we wait for these alternatives, we are going to have some real pressing times between the time they are ready to go and what we are doing now. I am hopeful and involved in the budget right now. I, frankly, wish there was a little more attention—I think there should be—in the budget not only to look at research over time but to do some things to incentivize the development of those things that will have an impact in the next 4, 6, or 8 years. That is very important because energy is that nearly on the edge.

One of them, of course, is the various alternative uses of coal. We kind of know what to do. In fact, there are some plants now that are using coal

and converting it and processing gas, which takes out CO<sub>2</sub>, which takes out the climate-warming kinds of things and yet produces coal. Of course, as we produce more generation we have to look at other ways.

Coal has been the only kind of fuel that has been used over the last 20 years. About 50 percent of our generation is done by coal, and more recent plants have been gas.

In our policy, we are better off using coal for generation and let gas be used for things which are more flexible.

For instance, my State of Wyoming is the largest producer of coal. We have some of the biggest resources for coal in the future. These are open-pit mines, which are very efficient and very effective. We are very anxious to try to bring to this country and put into use fairly soon some of the procedures that can be used. As I said, you can make diesel fuel out of coal, which is very important.

We have plants in Wyoming that are ready to do that, if we can get started. We can make gas out of coal. We can make hydrogen out of coal. These things, of course, take incentives and take some money.

I hope in this budget, in addition to looking out in the future in terms of research, we also look at how we implement in the shorter term the things we already know how to do—how we use our greater resources, use them in a more efficient way, and in a way which is environmentally sound so we can put ourselves in the position of being less dependent on foreign oil and foreign imports.

I want to talk some more about it as time goes by, but I guess the point I wanted to make and leave and see if we can't talk about is, we have a policy. We have a policy that deals with some fairly short-term changes. We need to be putting some emphasis on those as we look at our budget needs, look at things which can have an impact in the short term. We have to look at where these resources are so we can make our development around where the resources are and look forward to providing energy in this country on an economically sound basis, reasonably effectively, and available to everyone. We can do that.

I hope we pursue our policies and implement them.

I will continue over time to focus on these things.

I yield the floor.

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

## PENSION REFORM

Mr. REID. Mr. President, another day is gone. The Senate has been unable to appoint conferees on the pension reform bill. I am terribly disappointed that is the case.

Forty-four million American workers are covered by private sector pension plans. They need our help. They can only get help if we have a conference with the House, a bill comes back here,

and it is approved by both the House and the Senate. Forty-four million people would have peace of mind.

Senate Democrats are ready to go to conference now so we can produce a pension reform bill that will improve worker retirement security. Throughout this process, Democrats have worked with Republicans. This is truly a bipartisan effort to produce a bill that passed the Senate with 97 votes. It wasn't until we got into a position of appointing conferees that the majority decided to, for lack of a better description, play games.

I have to, frankly, say—I haven't had this job a long time—it has never happened during the time that I have been leader. I don't remember it happening during the time I was assistant leader for 6 years.

I don't know when the last time was that we had a prolonged dispute about how many people are going to be on a conference committee.

Why are we seeing this now? Perhaps they are trying to stack the deck in favor of downtown interests—I should say some downtown interests. We should give the opportunity to the Senate to stack the deck in favor of the 44 million workers and not a few special interests down on K Street.

Yesterday, the distinguished majority leader said, and I quote:

We have two committees with equal stakes in this bill, and they should have an equal number of conferees in the committee. The conference committee should fairly represent the two committees of jurisdiction.

I agree. This is precisely why I proposed a conference of eight Republicans and six Democrats instead of seven Republicans and five Democrats.

Under my proposal, four Republicans and three Democrats can be appointed from the HELP Committee, and four Republicans and three Democrats could be appointed from the Finance Committee. Remember, these numbers give the majority a two-vote majority.

The proposal I suggested establishes equal and fair representation to the two committees but for the fact we have 55 Republicans and 45 Democrats. We have acknowledged they should have a two-vote majority in this conference. But it is fair, eight Republicans, six Democrats; eight Republicans representing the Committee on Finance and the HELP Committee, six Democrats representing the Committee on Finance and the HELP Committee. My proposal established equal and fair representation of the two committees—exactly what the leader said we need to accomplish so we can at least get the conference underway.

We are ready to go. It is puzzling when the majority leader refuses to take "yes" for an answer. The proposals put forward by the majority leader only add to this confusion. It appears that seven Republicans are okay, eight Republicans are not okay, nine Republicans are okay but only if they have, not a two-vote majority, but now a three-vote margin.

So what conclusions could be drawn? At least two could be drawn. First, the majority leader and his supporters downtown do not really care about the equal and fair representation; they only care about stacked representation. Second, and most unfortunately, they apparently care more about stacking the deck than they do about completing action on this vital piece of legislation.

Remember, whatever suggestion I have made, I don't change the majority of the Republicans. They have a two-vote majority. The majority leader has an opportunity to prove these words wrong. What am I saying? That they care more about stacking the deck than they do about completing this important legislation.

If the distinguished majority leader believes what he said yesterday, we can go to conference today with equal and fair representation from the HELP Committee and the Committee on Finance. If he does not accept this offer, it indicates he believes the lobbyists on K Street are more important than the workers on Main Street.

Yesterday, I listened to statements by Senators BAUCUS and CONRAD, the Democratic ranking members on the Committee on Finance and Committee on the Budget. What they said speaks volumes on what is wrong with this administration. I have trouble comprehending how the majority ignores these huge deficits. They are there. They are piling up. Why? We vote to approve these deficits.

In the pay-as-you-go system, if someone wants to spend some money, you have to have an offset. Those rules have been abandoned by this administration and this Republican-dominated Congress. I don't understand this. I always had in my mind that the Republicans were fiscally concerned about the status of our economy. Obviously, that is not true.

President Bush is the most fiscally irresponsible President in the history of our country. No other President comes even close. When this administration came to office, the Federal debt was about \$5 trillion. We were running large annual budget surpluses. We were paying down the debt.

Alan Greenspan, the recently departed Federal Reserve Chairman, expressed concern during the final year of President Clinton's administration that the public debt was being paid down so rapidly that it may cause a concern to the financial markets.

Over the last 5 years, rather than reducing the debt, our Nation has suffered record deficits and gone on an unprecedented and dangerous borrowing spree. Total debt now stands at over \$8 trillion, and we are being asked to increase it by another \$800 billion, which will last, some say, for no more than about a year.

Compounding matters, the President's most recent budget makes matters substantially worse, leading to a \$12 trillion debt by the year 2011. That

is just as the first wave of baby boomers begins to retire.

Not only is the debt exploding at the worst possible time, increasingly we are borrowing from foreigners—Dubai, China, Japan. Since this administration took office 5 years ago, our country has more than doubled its foreign debt, increasing such borrowing by over \$1 trillion. That is more foreign debt than we accumulated in the first 224 years of this Republic.

During the last 3 years of the Clinton administration, we paid off \$200 billion in foreign debt. We paid it off. Given the explosion of debt in recent years, it is long past time for Washington to change course and adopt a new fiscal policy. All we are asking is that people be concerned about the future of our economy. Our Nation is at stake.

I had the good fortune of being able to serve for a number of years in this Senate with Pat Moynihan, Daniel Pat Moynihan, who will go down in the history of this country as one of its most outstanding Senators. He served in Democratic Presidential administrations, Republican Presidential administrations. He was a man who had a great intellect. He served during World War II. He was a great patriot and a great intellect.

Before he died, he said that he believed all this debt which was being accumulated, all the tax cuts, were not to help the wealthy; they would starve Government because the programs that some people in this administration hate, such as Social Security, which the President wanted to privatize in the 1970s, Medicare and Medicaid and other such programs, could not be attacked on a frontal basis. They could not do it directly. So by starving the Government, that is what has happened. And the Government is being starved. The American people are being starved with this huge debt.

At a minimum, this is a matter which deserves considerable debate in the Senate and an opportunity for all Senators of both political parties to participate. Unfortunately, there is reason to believe that some on the other side are doing everything they can to squelch this.

My friend, the senior Senator of the Committee on Finance, Mr. GRASSLEY, is reported to have said—not reported; he said it—that he would like the debt limit to be extended but "with the least debate." According to one news story, he said, "I would like to see a bill on Thursday night just prior to recess." Those are code words for saying: Let's jam this thing out of here. It appears that is what the leadership intends to do.

I got a letter in December from Secretary Snow saying that the country's debt limit is going to be exceeded, and to do something about it. During the holiday season, I got to this letter. It wasn't suddenly given to us. It appears to me we should be spending some time on this issue. But we are not; we just shove it under the rug. It is only another \$800 billion of taxpayers' money,

most of which will be borrowed from foreign governments, with no debate, no amendments, no public scrutiny, with no accountability for the massive debt we are imposing on future generations of Americans. That is not how this Republic, that is not how this Senate is supposed to work. It is not how our great democracy is supposed to function. We should be inviting public input, not trying to hide what we are doing because people are embarrassed of public reaction. We shouldn't be jamming things through Congress for political expediency.

The chairman of the Committee on Finance has said to extend the debt limit "with the least debate," and, "I would like to see a bill on any Thursday night just prior to a recess."

If the majority believes that increasing our debt by about \$800 billion is the right thing to do, they should be upfront about it. They should explain why they think more debt is good. They should explain why they think it is fair to force our children, our grandchildren, and great grandchildren to pay higher taxes, why it is right to increase our Nation's dependence on foreign creditors. Let them try to defend that. Maybe they can convince the public they are right, but I don't think so because most Americans know that increasing the debt is wrong. The baby boomers are about to retire. Under the circumstances, as almost any credible economist would tell you, we should be reducing debt, not increasing it.

I am appreciative of Ranking Member BAUCUS and Ranking Member CONRAD. We have sent a letter to the majority leader urging him to allow a thorough and open debate on any legislation to increase our debt. The letter says that before we approve hundreds of billions of dollars in additional borrowing, we should adopt reforms to reduce the need for more debt in the future. In particular, we should reinstate the pay-as-you-go rules that proved so effective in promoting fiscal discipline in the 1990s. That meant if you want a new program, pay for it, take it from someplace else. When you finish, there has been no new debt to this country. And to show the cynicism of what is going on around here, we have been debating for more than a year the Republican's deficit reduction bill—that is what they call it—which increases the debt.

We should not allow our Government to go deeper and deeper into debt without full and complete debate. We believe we should be more fiscally responsible. All this will do is create more fiscal irresponsibility. It will create higher taxes on our children and a weaker economy for future generations.

The American public will see whether this vote takes place in the dark of night or in broad daylight. They will see that Democrats are not going to vote to increase this debt. This debt has been generated by President Bush and his Republican Members of Con-

gress, and \$8.2 trillion is not enough. My good friends on the other side—all 55—will have to belly up to the bar and vote to increase the debt of this country by \$800 billion, or whatever figure is chosen, because Democrats are not going to do this. The votes are going to have to come from the Republican Party. We are not going to support this irresponsible Government we have in America today.

How can you run a business like we are being run here? When the credit cards run out, you cannot borrow more money from the bank. Instead, you go out and find the money—you rob the American people. How could you run your home this way?

If I can no longer manage on my salary, I can no longer pay for the style of living we have, I talk to my wife and children and say: We will have to cut back on things.

Not here.

#### STEM CELL RESEARCH ENHANCEMENT ACT

More than 9 months ago, the House of Representatives passed H.R. 810, the Stem Cell Research Enhancement Act. It was one of the rare victories in the House for bipartisanship. I felt good about that. It was my hope we would embrace the same spirit of bipartisanship in the Senate and pass this legislation, as well. It offers so much hope to untold millions of Americans and their families, people who suffer from these dread diseases.

After the House passed the stem cell bill, I spoke with my friend, the majority leader, about the need to take up this crucial legislation as soon as possible. At that time, Dr. FRIST assured me he would consider the bill in the Senate by July. That was last July.

By the end of July, the majority leader still had not found time to schedule debate on the stem cell bill, so I moved to take up and pass the House bill on the Senate floor. It was objected to by the majority, but Senator FRIST and I admire him for this, Mr. President—delivered a speech the next day in which he expressed support for Federal funding for expanded embryonic stem cell research. That was not easy for him to do. I admire him for doing it, and I appreciate it. In the speech, Dr. FRIST said that the potential of stem cell research to save lives and ease human suffering "deserves our increased energy and focus."

Now, Senator FRIST is a surgeon, a transplant surgeon, one of the pioneers. When he started doing this transplant surgery, most people thought it was an experiment that was doomed to failure. I have spoken to Senator FRIST. He personally would travel on little airplanes with a heart that had been taken out of one human being. He would take that heart and transplant it in another human being.

Now, since he did that, they have certainly come up with easier and better methods of transporting human hearts. But that is what he did. And he, coming from a different perspective than I, believes that stem cell research will

save lives, it will help us, it will ease human suffering. I am not a scientist, but I believe that, also.

But after he gave this remarkable speech—and I know he received criticism from certain political folks—we returned from the August recess, and he still did not find time to debate this important legislation. He found time to do a lot of other things, like drilling in the Arctic Wildlife Refuge. He found time for the Majority's budget, a budget that leaders of the faith-based community and major religious institutions said was immoral. He found time to give sweeping liability protections to the drug industry. But he could not find time to keep hope alive for millions of Americans counting on the promise of stem cell research.

In December of last year, the majority leader asked consent to take up and pass the House-passed cord blood bill. Now, we all supported the cord blood bill, but we did not want to do that because we wanted to consider the cord blood bill and the stem cell bill together. That is what the House did. But in an effort of bipartisanship and in an effort of hope and faith in the process here, we said go ahead and do that.

When we passed the cord blood bill, Senator FRIST expressed his commitment to the stem cell bill, but he did not bring it to the floor. He asked the proponents of stem cell research to support his request to take up and pass the cord blood bill in exchange for a commitment to consider the stem cell bill early in the 2006 session.

At that time, Dr. FRIST explained:

It is going to take some time that I will give on the floor of the Senate early in the year and have committed to do so because of its importance. It is important to address that in order for that research to be amplified. Much of that research needs to be amplified for cures that may occur 5 or 10 years down the road.

That is a statement from Dr. BILL FRIST. Three months have gone by. We are now into March 2006 and still no time has been scheduled to consider the House-passed stem cell bill. We all know this is a short legislative year. We have less than 3 weeks remaining in the work of this period and a short work period in April. Before you know it, it will be May and an entire year will have passed since the House finished this bill.

Mr. President, recently I was in Las Vegas with the Las Vegas Metropolitan Police Department SWAT team for a demonstration of their new mobile command center, which is really state of the art. When the demonstration was over, I saw a man in a wheelchair. I walked over and introduced myself and asked why he was in a wheelchair. He said: I was a motorcycle officer, and somebody ran a red light and hit me. He has been paralyzed from the waist down for 5 years. He said to me: You know—he grabbed his leg—I am getting a little bit of feeling. I hope that is the case. But he said: Stem cell is my only hope.

Now, he does not know anything about stem cells other than what people have told him. He is not a scientist. He is a police officer. He works in an office now. But he has hope. He has hope. As Dr. FRIST said:

Much of that research needs to be amplified for cures that may occur 5 or 10 years down the road.

He has been 5 years in a wheelchair. He is willing to wait a lot longer.

One year may not seem like a lot of time to some of us, but it is an eternity, I am sure, to some people out there who are so sick with some of those diseases where stem cell research could help. Diseases and conditions like spinal cord injuries, Alzheimer's, diabetes, Parkinson's.

Last Sunday, "60 Minutes," the public affairs program on CBS, ran a segment on embryonic stem cell research. They featured a woman named Suzanne Short who is paralyzed from the neck down who was hit by a drunk driver almost 25 years ago. Here is something she said about her hope for stem cell research:

Whether I walk or not, I really don't care. And, yeah, if I do that's great. But . . . if you could just wake up one morning and not have to wait for someone to come in my room and get me out of bed, I could at least transfer myself into my own wheelchair, be amazing. I'd be completely independent.

That is what she said. She has waited more than 24 years for help. Now we need action in the Senate. She should not have to wait longer.

Mr. President, less than a month ago, my friend died, Jeanie Sherman, Jeanie McCall. She was paralyzed from the waist down. She wrote the most, to me, heartrending letter about her experiences in a wheelchair for all those many years.

Every day we delay consideration of this legislation is a day we deny hope to the hundreds of millions of Americans who suffer from these devastating illnesses and conditions that have no cure—diseases such as cancer, as I have indicated, Alzheimer's, diabetes, Parkinson's, spinal cord injuries, and heart disease, even Lou Gehrig's disease.

There are a number of very important issues that this body ought to consider this session, but few are as important to the American people as stem cell legislation that could provide medical breakthroughs that would benefit hundreds of millions of people.

So, Mr. President, I know that we are crammed for time here, but I would hope we can find time early this year to debate stem cell research. We have to keep hope alive.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. FRIST. Mr. President, I ask the Democratic leader to stay on the floor just so we can discuss some of these issues. And I apologize for not being here. I was in my office, and so I don't know exactly what issues he talked about. But I am fascinated by the comments on stem cells and would love to

talk further about stem cells in terms of both the power and the potential for stem cells to cure, something I have spent a lot of time with and know something about.

But if the implication was made that for some reason the issues surrounding life, surrounding cures, surrounding healing are any less important to this side than the other side of the aisle, I think it is disingenuous to say. I say to the Democratic leader, on stem cells—he knows I am a great advocate for the potential and promise for embryonic stem cells, the practical application; where I have run a transplant center, where tens of thousands of people have benefited from the procedures of adult stem cells, mainly bone marrow transplants—I hope he does not question my commitment to healing, to addressing that this year.

He knows it was the other side of the aisle that refused the unanimous consent request last year in July where we would take up four different stem cell bills. And, again, I was not on the floor, but I would ask the Democratic leader what point he was trying to make in terms of stem cells?

Mr. REID. Mr. President, first of all, I think you would have appreciated what I said about you. I do not think there is anything disingenuous about what I said. I talked about your pioneering transplant surgery. I talked about your courageous statement on the Senate floor about the need to do something about the stem cell research and how difficult it was from a political perspective for you to do what you did.

So my point that I made here is that we need to find time to work on stem cell research. I did not say we should do it tomorrow. I said we should figure out a time to do it this year. There is nothing disingenuous about what I said. And there was nothing that I said during my statement on stem cell research that was disrespectful to you. I recognize the burden you have trying to juggle things to get time here. But this is an issue that we have to figure out a way to move forward on.

Mr. FRIST. Mr. President, so we can make it clearly understood—and I apologize for not being on the floor—the Democratic leader understands and has agreed to the fact that we are going to address stem cells as early as we possibly can this year, that that is a commitment that was made after the unanimous consent request was not accepted from the other side to address it last July, that that commitment is there in working together to address this important issue.

Mr. REID. Mr. President, as I said in my statement, the distinguished majority leader said that we would bring this up early in this session. I am not critical of its not having already been brought up, even though I would rather have done that than—I hate to bring up the "A" word—asbestos. There are other things we could be doing. As I said, I am willing to work with the ma-

jority leader. We still have time until we get out of here to set aside some time to do stem cell. We are ready to move forward on stem cell research. As I said when we agreed to pass the cord blood bill, we wanted to keep the cord blood bill and the stem cell bill together. That is what the House did. We agreed to pass the cord blood bill with the understanding that the majority leader would schedule time early this year to consider the House-passed stem cell bill.

Mr. FRIST. Bipartisan, working together.

Mr. REID. We wanted to move the two bills together. A number of my people didn't want to separate them, but we took you at your word and the cord blood bill is now the law. That is what I said in my earlier statement. We cannot pass stem cell research unless there is a bipartisan effort to move it. That is why I didn't demand in my statement that we take this up instead of debt limit or instead of lobbying reform. I am saying that we have a lot to do, but stem cell ought to be a priority.

Mr. FRIST. But things such as asbestos, you can't deny that there are patients with mesothelioma and clinical diseases today who are being hurt by the system and that that is not an important issue from a humanitarian standpoint, from a healing standpoint, for people who are suffering from disease right now, dying from lung cancer today who are not getting adequate compensation or appropriate compensation in a timely way. You don't mean to imply that we should not be addressing this asbestos crisis that is out there that also has a huge healing humanitarian component to it?

Mr. REID. Mr. President, if I could respond to the distinguished majority leader, there is no question that the majority of this Senate feels that asbestos is a difficult, very complex problem and should be addressed. But the bill that came before the Senate was a bad bill. That is why now and before this, but now especially, a group of Senators is working on a bipartisan basis to come up with legislation to address that issue. Sure, it is important. That was a bad bill, and the Senate treated it so.

Mr. FRIST. Then, on pensions, my staff said that you mentioned pensions, perhaps trying to stack the issues for downtown interests, the majority decided to play games. What are you even implying? We finished this bill on November 15 on this floor. We completed it. The House finished it a month later. We have been waiting to go to conference now for I guess 3 months. My distinguished colleague knows it is the majority that ultimately sets the ratios. The ratio has been crystal clear for weeks now, and now the argument seems to be shifting that there are outside interests dictating all this, when I have been crystal clear for weeks now on what those ratios will be. What is the implication, that there is somebody outside dictating what we are doing?

Mr. REID. First, let me say, moving on beyond stem cells, I guess, but so the record is clear, yes, we did object to the unanimous consent agreement because it was for six or seven bills. What we proposed—

Mr. FRIST. That is on stem cells.

Mr. REID. Yes. What we proposed is that we work on the stem cell bill and the cord blood bill. That is what the House did, and there was no reason we couldn't do the same.

Mr. FRIST. I take that. But let's move on to pensions. This is getting old, and it is almost childish in terms of us not getting to conference. People are going to be hurt again.

Mr. REID. I have given several statements this week on pension reform. I believe that we should move forward. I have given all the statistical numbers. People who are watching this would tend to agree that seven Republicans is OK with the majority. Eight is not. Nine is, if there is a three-vote margin. I am saying that we should have a conference. The Senate, whether it is fair or unfair, has worked for 224 years. These conferences ordinarily are fairly easy. It is fairly easy to go to conference. What we are saying is, let's have another Republican and another Democrat or two more Republicans and two more Democrats. There will still be a two-vote margin that the Republicans have. Why can't we go to conference? That is what every one of my statements has said.

I have said that and I gave reasons. What are the reasons for this? I gave an example yesterday about some of my trial experience. Are you trying to—juries usually come up with the right result, not always for the right reasons, but they usually come up with the right results. So do conference committees. So I am saying, let's go to conference. I am willing on my side to make choices as to who should go. But I say that we have the HELP Committee and we have the Finance Committee. Both have jurisdiction on this matter. I don't think it is asking too much to have three Senators representing the Finance Committee, three Senators representing the HELP Committee. That is what I am asking, rather than five.

Mr. FRIST. Mr. President, just so people understand, the 7-to-5 ratio, which I have been clear on for weeks now, does allow for equal participation between those two committees, so the fairness is that 7-to-5 ratio.

This protections to the drug industry, no time for stem cells—first of all, the timing issue is because of this postponement. The fact that the PATRIOT Act finally passed yesterday, when it should have passed weeks ago, is a manifestation. This wasn't a problem with your whole caucus. It was a handful of people who felt strongly about it, and that is within their rights. But some way or another, we need to keep moving on all of these issues, whether it is stem cells, whether it is pensions, whether it is lobbying reform, whether

it is coming in to address the debt limit. We are going have to move along and stop postponing, obstructing, and then saying we are running out of time. We can't address these important issues.

Asbestos is important. My distinguished colleague may diminish how important it is, but it is an important issue from a range. We are going to systematically go through and address them, but we need cooperation, working together. Let me ask the Senator, I wasn't here—again, I apologize—but protections to the drug industry, something was said about that. What does that mean?

Mr. REID. Well, I could have gone into more detail, but I talked quite a long time anyway. What I was complaining about is the inordinate amount of time that we spent dealing with certain issues—and I did mention specifically the Arctic National Wildlife Refuge. And the pharmaceuticals, I thought they got a sweetheart deal with the provision that was inserted in the DoD Conference report in the middle of the night without any debate. I think I have a right to complain about how that bill was handled. I thought the Appropriations Committee, had they not been burdened with the ANWR thing, we could have been out of here weeks earlier than what we were, but that held things up for a long time. I have a right to complain about that.

Mr. FRIST. I understand. I plead to the other side of the aisle, if we could work together, the list—I am sure your list went on much longer on important issues. But unless we get some sort of working together without slowing things down and dragging out even asbestos, where we can't debate, we can only have debate, we can't amend; we have to work together to move forward.

On the drug industry, again, I am not sure exactly what it is, but right now avian flu, if you look at a map, over the last 6 months, where 10 million birds have died, 20 million, then 100 million, and then 200 million, it is moving our way. It has a 50-percent mortality rate today. If you get infected today—and probably a third of us would get infected because we have no natural immunologic response to that, unlike the regular flu—if it does continue to have a 50-percent mortality, we are in real trouble. We have no vaccines. The reason we have no vaccines today, in large part, is because the liability system has gotten out of whack. We had 26 manufacturing companies back in the 1960s. We have three today. They can't produce a vaccine. It would take them 13 months today. So the liability protections are only in the event there is an emergency, an emergency, a life-threatening emergency, in event there is a bioterrorist attack or in the event there is a pandemic. Today there are no protections given whatsoever. And also built in with those protections is a compensation program.

I came to the floor because, as this list goes on, if these are not at least

elucidated, the American people are left with a one-sided view, and that is wrong. Again, I didn't come to the floor to go through the entire list, but notes started coming into my office about the list itself.

I will close with a plea to the other side of the aisle. It is an election year. It is a year where partisanship is going to come to the floor and where things are going to be obstructed or slowed down. But there has to be some things we can work together on. It might be stem cells. It may be health issues. It should be asbestos. Hopefully, it will be lobbying reform next week. Maybe that will be the first time this year we can show working together. Then we have border security. The Democratic leader and I were talking about that before. That is going to be a tough issue for us, border security and enforcement, with a lot of amendments on the floor. We have to work together, Democrat and Republican, right side of the aisle, left side of the aisle, to do the Nation's business, to govern with meaningful solutions; otherwise, we are going to be here all year doing nothing.

Again, the Democratic leader and I don't just talk on the floor, and we need to keep our conversations going, as we do our best to govern with meaningful solutions to the problems we face today.

Mr. REID. I would say that the left side or right side of the aisle is according to where you are standing in this building. This side of the aisle takes no back seat to what we have tried to do with avian flu. We have pushed this very hard. We pushed it because we were told that it is not a question of if, it is a question of when.

We understand the seriousness of this. That is why we worked so hard to get the administration to also recognize this.

The majority leader, I know he is a prominent physician, and that is what I stated in my statement here. In the DoD bill, people are concerned about a provision that was placed in the bill without the opportunity to debate it that offers sweeping liability protections for the drug industry without compensation for victims who are harmed by reckless wrongdoing.

This is not the time to debate this in its entirety. I mentioned this with a number of other things. But I would not be doing my job if I did not come and talk about how I feel, how we feel, representing what the minority feels about the needs to go to conference on the pension bill. That is an obligation I have. I think I am right. But the fact that I disagree with the majority doesn't mean that there is anything wrong with me. I think we are right.

I had an obligation to come and talk about the debt limit. That is important that we talk about that. I believe I had a right and an obligation to come and talk about the situation dealing with stem cells. I think anyone that would read my statement about stem cells, that wasn't a statement where I was

saying let's draw a ring here and have somebody go in one corner and somebody come out the other and start slugging. I think this is one of the most important things that we need to do this year. I was pleading for time to have it done.

As far as cooperation, that runs both ways. We are in the minority. We understand that. But times change around here. Someday we will be in the majority, and we will be back in the minority. That is one of great things about our country. That is one of the great things about the Senate.

The Senate is here to protect individual Senators who represent States. Sometimes these rules are cumbersome. I see on the floor the distinguished junior Senator from Mississippi who was the majority leader and minority leader in years past. He has written a book about how difficult it is. But it is the Senate. It has worked well for our country. I hope when the books are written about my tenure here that it will be one where people will say: He tried to get along with people, tried to get some things done. I have no problem with the majority leader coming to the floor and saying: What did you say? Because he can look at the record and see what I said. I don't mind staff running notes to him saying things, parts of what I said. But there was nothing in any of my statements that should be cause for alarm, other than alarm that I believe there are certain things we need to do: Specifically, debate on the debt limit; two, get a conference appointed for the pensions; and get a time set so we can debate stem cells.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. LOTT. Mr. President, first of all, I have enjoyed being referred to as the junior Senator from Mississippi, which I am. It makes me feel so young. I am flattered by that description.

I tiptoe into these waters with some hesitancy and with a great deal of respect for our two leaders because I know working out these issues is not easy. You have personalities. You have individual Senators who have interests or concerns. I have the greatest respect for both of these men. I know how tough the job is. But my friends, if we don't get into conference on the pensions, it is going to be a plague on both our houses. I have talked to Senator REID about this. I understand his problems, and I know what Senator FRIST, as the majority leader, is dealing with. But I also know that this issue is time-sensitive.

If we don't get into the conference pretty soon, we are not going to get an agreement before April 15. There is at least one airline that has bet the whole company, frankly—their survival and bankruptcy—on us getting pension reform done. Do you think people are only worried about health care? They are worried about retirement and they are worried about their pensions. Are they going to be there? Are they ade-

quately funded? Who will pay for it? The taxpayer?

That is what is going to happen. Company after company will dump their pension plans on the PBGC, the Government entity that insures these plans. They are going to be stuck with the bill. I hate to get into this, but having been there before, I cannot help myself because I care about the substance here.

I am pleading with our leaders to find a way to deal with it. The Senator from Nevada knows that the majority leader has to lead on these issues. He has to find a way to get us into conference, but it takes cooperation. The majority leader says 7 to 5. I think it is a little high. The last time we had a pension reform conference, we had 8 total, not 12 Senators. But the Senator from Nevada says: No, no, no, it has to be 8 to 6. That troubles me because the majority leader came up with a reasonable number, but the minority leader said it has to be 8 to 6 or we are not going to conference. We are at loggerheads, and we should not be.

I have a novel idea. Let's go up to 9 to 7 or go down to 6 to 4.

Mr. REID. I will take it, 9 to 7. You will have a deal.

Mr. LOTT. I will be glad to work on that, but I don't think the numbers make that much difference. This is a bipartisan issue. I cannot do this for the leader or the leaders. But go down to 6 to 4 or go up—and, by the way, it won't make a lot of difference. We are sweating about this. Sixteen Senators are going to be in a conference. For heaven's sake, that is a cattle call. I think that is too many.

I plead with our leaders to come up with an agreement. I have never seen this happen before—never. Not one time when I was majority leader did the minority leader and I not come to an agreement on a number to go to conference with.

Mr. REID. Will the Senator yield?

Mr. LOTT. I am glad to.

Mr. REID. That is what I said earlier. During my tenure as leader and assistant leader, I never remember this happening. That is what I said before you came here.

Mr. LOTT. Senator Daschle didn't say: No, you have to give me a specific number or I won't go. At least you are showing movement. We need to do this and we need to do it today. I am going to continue to talk about this. I will remind people that we have a deadline, which is April 15. And I remind everybody that the Senate passed this November 16 by a vote of 97 to 2. The House passed it last year.

We have been fumbling around with this for 2 whole months. This involves retirement insecurity for millions of Americans. Chairman GRASSLEY has done good work, along with Chairman ENZI and ranking member KENNEDY; he wants these conferees appointed. All of the Senators involved are flummoxed that we cannot find a way to come to agreement on this subject. The House

passed it 294 to 132 on December 15. And here we are and we cannot get into conference. Is it complicated? Yes. Can it be worked out? Absolutely. Whom are we fooling? There will be three or four people who are going to write this thing. The rest of us will be there as spearholders. Why don't we get on with it.

I am concerned about this. I think we ought to be able to get it worked out. The majority leader is the majority leader. He does make the final call on the numbers. You know, when we go to conference, does it need to be cooperative and collaborative? Yes. I cannot believe, with all of the Senators on this side pushing and hoping for a conference, and the Senators on the minority side who are pushing for a conference, that we cannot get this done. It is all because one or two Senators think they have to be able to go to conference, or else. I wanted to be a conferee on the tax bill, and I should have been. But the leader decided the number was 2 to 1, so those are the conferees. That is the way it works. I understand that. I cannot be a conferee on every bill.

I say to those who are demanding they be a conferee, we have to support our leaders. I want to make it clear that I am worried about the legislation. I want to be helpful.

I realize it is presumptuous of me to talk about this. I am not here about who is the majority or minority when it comes to substance. This is about people's lives. What are we doing? That is part of a pattern where all of a sudden everything is objected to. We look bad. I want to make it clear that I am not talking about our majority leader. He is trying to move things. It is similar to trying to move a "dad-blame" mountain, and only the good Lord can give you the power to do that.

I plead with our leaders to find a way to make this happen and do it today. Today. I think what we might have to do, if we cannot get an agreement—I urge our leader to begin the process to—however long it takes, however many votes it takes—to make this happen. It can be done. But it takes, again, an excruciating amount of time, similar to what we went through on the PATRIOT Act. What a supercilious, ridiculous process we went through, with all those extra votes to get to a vote of 89 to 11 on a consensus bill.

Yes, it is a Senator's right to run the string out if they want, but is that good? Was anything achieved? Is the Senate better off and are the American people better off? Absolutely not. I tell you, any of our colleagues on the other side that think you win by blocking things and stopping things from happening, I can tell you it doesn't work. I have tried it both ways. The American people want us here to get results. When you get results, there is plenty of credit to go around on both sides. You know, if we don't act on the pension bill, within 6 weeks there are going to be disasters. The blame is going to be in this Chamber.



I yield the floor, Mr. President.

The PRESIDING OFFICER. The majority whip is recognized.

TRIBUTE TO SERGEANT ERIC LEE TOTH

Mr. McCONNELL. Mr. President, I ask the Senate to pause for a moment today in loving memory and honor of Sergeant Eric Lee Toth.

Sergeant Toth of Edmonton, KY, served with the 623rd Field Artillery in the Kentucky Army National Guard. The 623rd frequently escorts supply convoys throughout Iraq, a dangerous duty that often put them in, as one Kentucky National Guard general has termed it, "the eye of the storm."

On March 30, 2005, Sergeant Toth and two other Kentucky Guard soldiers were traveling in a Humvee on a supply route in Iraq, escorting a convoy of supply trucks from the southern end of the country to the north. One of the soldiers traveling with Sergeant Toth was his brother-in-law.

Suddenly, at a point about 30 miles north of Baghdad, an explosive device hidden in a car went off. The other two soldiers in the Humvee were injured; Sergeant Toth was killed. He had served his Nation as a citizen-soldier for almost two years. He was 21 years old.

For his valorous service, Sergeant Toth was awarded the Bronze Star Medal, the Purple Heart and the Combat Action Badge. He had previously received both the Army Good Conduct Medal and the Armed Forces Reserve Medal. And he was awarded the Kentucky Distinguished Service Medal, the second-highest honor that the Commonwealth of Kentucky can bestow.

Like so many young Americans, Eric was inspired to enlist in the Kentucky National Guard after the terrorist attacks of September 11, 2001. He felt an unswerving duty to defend his country after seeing the destruction on that horrible day, to help ensure that something similar didn't happen again. "Ever since 9-11 . . . that's what he thought he should do," says his wife, Andrea.

Captain John H. Holmes Jr., Sergeant Toth's battery commander, recalled that Eric had set his sights on becoming a member of the respected Alpha Battery when he joined the 623rd Field Artillery of the Kentucky National Guard. He wanted to serve in the same unit as his brother-in-law, Sergeant Ricky Brooks. He looked to Ricky as a role model, and the two grew closer during their service in Iraq.

Eric knew that Alpha Battery would likely deploy to Iraq, but this courageous young man did not shy away from his share of responsibility—rather, he embraced it. Captain Holmes says that Eric "inspired every one of us to be better than we ever thought we could be, and touched our lives indelibly."

Sergeant Toth got the assignment he sought, and was deployed to Iraq with the 623rd in January 2005. Missions to escort supply convoys lasted as much as 18 hours to go a mere 500 miles, and

the soldiers often had to bridge language and cultural barriers to communicate with the convoy truck drivers.

Eric was the gunner for his unit. Captain Holmes tells us that a gunner's responsibility is to be the "eyes and ears" for his officers and his fellow soldiers, and that Eric succeeded at that quite well. His brother-in-law, Sergeant Brooks, calls Eric one of the best gunners he ever knew, and recalled a previous mission when Eric had been alerted to the possible presence of the enemy. When Sergeant Brooks saw Eric check his gun and equipment twice, he knew Sergeant Toth was ready and could be counted on in battle.

Born in Glasgow, located in south-central Kentucky not far from Mammoth Cave, Eric Toth grew up as quite the young athlete. He was the captain of his football team at Metcalfe County High School. As a young man, Eric helped nurture others in the sport he loved by coaching little-league football in Edmonton, which is the county seat of Metcalfe County.

As a child, Eric minded his studies as well. Bennie Stephens, who is still with the Metcalfe County public school system, taught both Eric and Ricky Brooks when each was in the fifth grade, and remembers them as good students who worked hard.

Eric also enjoyed a good game of volleyball, and took pleasure in hunting and fishing. He played basketball with Sergeant Brooks. He was an avid movie fan, and even while in Iraq, Eric purchased 28 movies to fill the downtime in between missions.

Sergeant Toth was laid to rest last year in Sulphur Springs Cemetery, in Edmonton. Mr. President, I was honored to be one of the many who went to pay my respects that day to a courageous American hero. A lot of people love and miss Eric Toth, and they will remember his bravery, his generosity of spirit, and his sacrifice.

Eric was blessed to have a large family and many friends. His wife, Andrea, is with us in the gallery today, and we thank her for sharing her memories of her husband with us. Eric will be forever treasured by his father, Danny Toth, and his mother, Brenda Paronto, who says that Eric "loved his country and loved what he was doing."

He is remembered as well by his half-sister, Debbie, his stepsister, Tasha, his stepbrothers Derrick and Travis, and many more members of a large extended family.

Perhaps Eric's commander, Captain Holmes, summed it up best when he said Eric "was always about trying and doing." I hope those who knew and loved Eric can take some measure of solace in the knowledge that Eric lived with bravery, giving his life for the freedom of people he would never meet, but who will forever benefit from his sacrifice.

This country owes a debt to Eric and the countless men and women who, like him, offer up their bravery to the

rest of us. I ask my colleagues to keep the family of Sergeant Eric Toth in their thoughts and prayers, as they will be in mine.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for as much time as I consume.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

MANAGING AMERICA'S SEAPORTS

Mr. DORGAN. Mr. President, there is a lot of discussion this week in the Congress, in committees on which I serve and in other committees, dealing with the issue of the company that is owned by the United Arab Emirates, a Dubai company owned by a government called the UAE, managing six of America's major seaports. I wish to make a couple comments about that.

First, I introduced legislation this week that would simply disapprove the transaction. I don't think I need 45 days, and I don't need 45 minutes to make a judgment that it doesn't make any sense for our country to have a company owned by the United Arab Emirates managing six of America's major seaports. It doesn't make sense to me, and I will explain why.

In a time when our country is severely threatened by terrorism—and we read about it all the time that terrorists threaten this country—we understand that terrorists would love to commit another major act of terrorism inside the United States. Go to an airport this afternoon and try to board an airplane. You will find they want you to take your belt off. They want you to take your shoes off. They want you to take your wristwatch off. And then as you get through the metal detector, you see they have some 6-year-old spread-eagled against the wall, wanding that 6-year-old, or perhaps a Catholic priest, because they set off the metal detector.

We understand what is happening at airports. There is massive security. We have all these folks who are trying to get to their airplane, and yet we have them lined up in all kinds of ways because of security issues.

What about our seaports? We know our seaports are also a target for terrorists. We have over 5.7 million containers coming in on ships into our seaports.

The administration says it is concerned about a rogue nation or a terrorist group getting access to an intercontinental ballistic missile and putting a nuclear bomb on the tip of the missile and firing it at this country at



14,000 or 18,000 miles an hour. So we are spending, I don't know, somewhere around \$10 billion this year to build an antiballistic missile system. Some of us think that is not a very wise expenditure because it is one of the least likely threats. Instead of worrying about the threat of an intercontinental ballistic missile coming at us from a rogue nation or a terrorist, a very unlikely threat, we should worry about a ship pulling up to a dock at 6 or 8 miles an hour with a container loaded on board that ship that contains a weapon of mass destruction, pulling up to a dock or a pier at one of America's major cities. Then we are not talking about 3,000 people dead; we are talking about tens of thousands or hundreds of thousands of people killed. Yet think of this: We only inspect about 4 or perhaps as much as 5 percent of all of those containers coming into our country.

We know that just after 9/11, when there was a lot of discussion about this, there was a fellow who tried to ship himself to Canada, someone who they thought was a terrorist, who loaded himself into a container and actually had a cot to sleep on and a water supply; he had a radio connected to a GPS monitor, a whole series of things. He was shipping himself in a container to the country of Canada. They happened to find that person. The assumption was that he was going to find his way into Canada in a container and come into this country across our border. We know the dangers that exist with these ships and the containers. Yet there is very little, frankly, very little seaport security.

I went to a seaport once. We don't have seaports in my State, but I toured a seaport and asked about security and asked about things, and I mentioned previously on the floor that I saw a container that had been taken off a ship and was being opened.

I said: What is in the container? Why is that being opened?

They said: That is a refrigerated container; that is just one we decided to open.

I asked: What is in it?

Frozen broccoli from Poland.

I said: How do you know what is in the middle of that container? I see what you have pulled off the end of it and you cut open some bags and found some frozen broccoli. But how do you know what is in the middle of that container? Well, we really don't, is the answer, and they inspect somewhere around 4 to 5 percent of those containers.

So with all of the potential threat at our seaports, we are now learning that a company owned by the United Arab Emirates has been cleared by the administration to provide management and, yes, security, because security is a part of management, at six major seaports in our country.

My colleagues, a number of them, have described the United Arab Emirates. It is not my intention to offend

this country. The administration says they have been helpful to us with respect to the war on terrorism. I don't know the specifics about that, but if they have been helpful, we appreciate that. We do know, however, that two of the hijackers who crashed into our World Trade Center and the Pentagon on 9/11 were United Arab Emirates citizens. We know from the 9/11 Commission Report that the United Arab Emirates was a crossroads that helped finance the terrorist operations. We know that the United Arab Emirates ports were crossroads through which Dr. Khan of Pakistan moved substantial amounts of nuclear knowledge and material to North Korea and Iran and other parts of the world, and that will pose very much danger to us and to our children. So we know some things about the United Arab Emirates.

My colleague, Senator Hollings, whom I have described a few times on the floor and who used to sit at the desk right behind me, my colleague just wrote an op-ed piece, and he described the United Arab Emirates. He said that in some countries, women are allowed to vote. In the United Arab Emirates, neither men nor women are allowed to vote. There are a lot of questions about the United Arab Emirates.

Let me mention something from the 9/11 Commission Report as well, about the United Arab Emirates. On page 137, it describes in 1999 the fact that we had found Osama bin Laden, presumably, knew where Osama bin Laden was, and he was near a hunting camp in the Afghan desert being used by visitors of a Gulf State from the United Arab Emirates. On page 138, it describes how in 1999, once our intelligence had decided they knew where Osama bin Laden was, they were going to launch a military strike against him. Page 138 describes that on February 10, 1999, the military was doing the targeting to hit the main camp with cruise missiles. No strike, however, was launched. Osama bin Laden then disappeared.

The reason the strike was called off is that intelligence officials were worried that a strike against bin Laden would kill an Emirate prince, somebody from the United Arab Emirates. Part of the Royal Family was visiting with Osama bin Laden at the time, and our intelligence officials were worried that if they launched a strike against Osama bin Laden, they would kill someone from the Royal Family of the United Arab Emirates. This is on page 138 of the 9/11 Commission Report.

My point is very simple. The United Arab Emirates may very well have been helpful to us in the fight against terrorism in the last couple of years, and if they are being helpful to us, good for them. This is not about offending the United Arab Emirates by saying that we don't want a company owned by that country to manage American seaports. I don't wish to offend the UAE, but neither should we be offending common sense. A whole res-

ervoir of common sense would tell us that this country, given the fact that we are the No. 1 target for terrorists, ought to be managing our own ports, our own major seaports, and ought to be providing our own security and ensuring our own security.

If I might also make a couple of points. The Committee on Foreign Investment of the United States, which is made up of somewhere around a dozen agencies within the administration, studied this proposed port deal and said it was okay for the United Arab Emirates-owned company to manage our major seaports. Well, on February 27 we learned that the Coast Guard expressed reservations about the deal in a secret report that was made public this week, and here is what the report said. This is the Coast Guard. It says:

There are many intelligence gaps concerning the potential for the UAE company's assets to support terrorist operations that preclude an overall threat assessment of the potential of the merger.

In fact, the Coast Guard referred to a large number of potential vulnerabilities, and then it listed them, and one of the intelligence gaps that the Coast Guard referred to was the fact that no one had checked the backgrounds of the people in charge of the UAE-owned company.

So when the secret Coast Guard report was made public this week—I believe by Senator COLLINS, who was holding a hearing at the time—the administration had the Coast Guard make another statement, and here is what the Coast Guard said on February 28:

Upon subsequent and further review, the Coast Guard and the entire CFIUS panel believe that this transaction, when taking into account strong security assurances by DP World does not compromise U.S. security.

The Coast Guard obviously works for the President, and they made this statement dutifully in line with the administration's interests. But it is interesting. The Coast Guard's statement does not say that anybody checked the backgrounds of the officials of the UAE company. That was what the Coast Guard cited as one of the major vulnerabilities.

The highest ranking official in the Department of Homeland Security who reviewed this port deal is Assistant Secretary Stewart Baker. Assistant Secretary Stewart Baker told The New York Times on February 17 that the CFIUS review did not include any background checks on senior managers of the company. In fact, the review didn't involve gathering any information from outside sources like the New York and New Jersey Port Authority, because the committee kept the proposed transaction secret. In fact, Baker said the committee's investigation lasted just a couple of months, beginning in November, ending in mid-January, so there wouldn't have been time to do very thorough background checks anyway.

So here is what we have. We have the Coast Guard saying in a secret memorandum that there are real vulnerabilities here with respect to potential terrorism, and in that memorandum, they say one of the vulnerabilities is that no one had checked the backgrounds of the people in charge of the UAE company. So then the Coast Guard, when this becomes public, says: No, no, it is okay. We have pretty much been satisfied. And then the Department of Homeland Security official, the top official who did this, says: Well, no, we didn't check those backgrounds.

Question: How could the Coast Guard be satisfied when the conditions weren't met, when they had just said previously that there was a potential threat here? They said, "There are many intelligence gaps concerning the potential for the UAE company's assets to support terrorist operations," and one of the bases for that is they hadn't checked the backgrounds of the people in charge. And then the Coast Guard says: But that is OK, now we are in sync with the administration on this. Then Homeland Security comes out and says: Well, we never did check the backgrounds of the people in charge.

This really gives you confidence that the transaction was properly vetted, doesn't it?

Let me just mention that in 2002, May of 2002, the U.S. Military Special Operations Command obtained a document produced by al-Qaida in which al-Qaida claimed to have infiltrated the United Arab Emirates. Referring to the UAE, the 2002 al-Qaida document, which was written in Arabic, says: We have infiltrated your security, censorship, and monetary agencies along with other agencies that should not be mentioned.

I have no idea whether there is any credibility here or not, but I do know that two of the 9/11 hijackers were from the UAE and the financing for the attacks flowed through UAE financial institutions. And it seems preposterous to me that the administration would just dismiss issues which were raised in a secret memorandum by the Coast Guard, even after there is an admission that the conditions that resulted in that concern about terrorism were never met.

The point is simple. This relates in many ways to the larger question of outsourcing, offshoring, contracting out the global economy. This global economy has galloped along. The rules, of course, have not kept pace. We now discover that in this so-called global economy, there are things which cause great concern. Among those would be deciding that America's seaports, largest seaports should be managed by a state-owned company, a company owned by the United Arab Emirates. Does that make sense? Is the reaction of the American people so out of sync with common sense? I don't think so. I think the American people are in perfect sync with common sense, and the

folks in the administration who did CFIUS and the folks in the administration who are now defending this are the ones who are out of sync with any common sense.

The President says: I have made up my mind. If the Congress passes legislation and sends it to my desk, I am going to veto it because I want the UAE company to be able to manage these ports. I say if you want to veto it, then go right ahead, but I think this Congress should pass legislation that says very simply that we don't want a state-owned company from the United Arab Emirates managing America's seaports. There are, in fact, security issues, national security issues that trump all of the other issues, and we don't believe that is appropriate. I have introduced legislation to do that, and we will see whether in the coming days and weeks we will be able to pass that legislation. I, frankly, think we will.

A colleague over in the House, Congressman DUNCAN, said something today that I believe is useful to repeat. He said:

People call this attitude protectionism. If that is what they call it, then count me guilty of wanting to protect this country's interests.

I always liked this so-called four-letter word, "protection," the notion of being a protectionist on international trade. What is wrong with standing up for protecting this country's interests? Yes, economic interests, national security interests. What is wrong with that? Does anybody really think it makes sense to be outsourcing and offshoring all of this?

I believe we have the most sophisticated economy in the world. We have a wonderful education system. We have a lot happening in this country. And if we had no immigration restrictions at all and just had an open country, I tell you what, a fair part of the world would be headed in our direction. So it is a great place. And we don't have the resources in this great place of ours to manage our own seaports at a time when we see daily and weekly threats of terrorism against our country? We don't have the resources and we don't have the ingenuity and we don't have the capability to manage our seaports? What on Earth are they thinking about when they suggest that? Of course we do. It is just a matter of national will to decide that we want to stand up for the economic interests of this country and protect the national security interests of this country. That is what our responsibilities are.

I wish that I could, in this case, be supportive of the administration and the folks who reviewed this from CFIUS. But the fact is, in carpenter's terms you would call it a half a bubble off plumb, maybe a full bubble off plumb. This makes no sense at all. You are going to turn over our major seaports to a United Arab Emirates-owned company about which there are substantial questions about national security. I said before, it is nuts. There is

no other way of describing it. So count me as somebody who is going to try, in every way possible, to scuttle this approach.

The interesting little dance that is going on here, because everybody wants to look as though they have been able to win, is: Now we have asked, the company has actually asked our country to extend the 45-day investigation. You talk about Byzantine. The United Arab Emirates-owned company is asking the United States of America to extend its investigation because they cut it off prematurely? It is bizarre. That is the only way you can describe it. I don't need 45 days; I don't need 45 minutes to figure out this doesn't make sense. That is why I introduced the legislation I introduced.

#### CONTRACTING FRAUD

Turning to another subject, and I will be brief, yesterday I introduced legislation with 28 of my colleagues. I will ask unanimous consent that Senator CANTWELL be added to the piece of legislation.

The bill we introduced yesterday is about accountability in contracting. It is called the Honest Government and Accountability in Contracting Act of 2006.

I have held seven hearings, chairing the Democratic Policy Committee, on the issue of contracting. It has been all over the newspapers in the last 4 or 5 years, the massive fraud, waste, and abuse in contracting. I will not go through all of it, but let me put a couple of things up.

This is Bunnatine Greenhouse, the highest ranking civilian official in the Corps of Engineers. She is in charge of all contracts in the Corps of Engineers, and virtually everything being done by contract in Iraq is going through the Corps of Engineers. She, incidentally, has since been demoted. The reason she has been demoted is this career official, who had great ratings and performance evaluations throughout her career, told the truth.

I can unequivocally state that the abuse related to the contracts awarded to KBR [that is Halliburton, a subsidiary of it] represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

Bunnatine Greenhouse, the highest ranking procurement official in the Corps of Engineers is paying for it with her job, but thank God we have people with the courage to do this.

When you mention Halliburton, everyone thinks you are talking about the Vice President because he used to run Halliburton. This is not about the Vice President. This is about a company that got huge no-bid, sole-source contracts to do work in Iraq, and it is unbelievable—the whistleblowers from Halliburton described the waste. I will give an example. We had a witness who used to work for KBR—Halliburton. He used to buy things for them.

He held up two towels. He said, I was supposed to purchase hand towels for the soldiers. Here is the towel I would

have purchased. It would have cost \$1.80 a towel, something like that. And here is the towel I did purchase. It cost triple that. Why? Because the company said to me I want you to purchase the more expensive towel so it has the company name embroidered on the towel that goes to the soldiers. Waste? Of course it is.

Mr. President, \$85,000 trucks, brand new, were left on the side of the road to be trashed because they had a flat tire; \$85,000 trucks were trashed and left to rot because they had a plugged fuel pump. Do you think that is not happening? Listen to the whistleblowers or the people who drove the trucks.

A guy named Rory, on behalf of Haliburton, runs a cafeteria and food service. We know there is one allegation of one billing for 42,000 soldiers being fed a day when in fact they were feeding only 14,000. Rory said they missed it by about 5,000 in the place he was feeding them, charging for 5,000 more than actually were eating. He said, By the way, we were feeding the soldiers food that had expired date stamps on it, and when we told our supervisors they said, No, no, feed it to them; an expired date stamp doesn't matter. Feed them to the soldiers. He also said the convoys bringing the food in would come under attack and our supervisors said you go through and pull out the bullets and shrapnel in the food, pull it out, and then we will feed the food to the soldiers. And by the way, if they are good bullets, save them for the supervisors for souvenirs.

Are these unusual circumstances? The answer is no. I could go on and talk about fuel delivery and water contracts, but that is enough, just to say there is massive waste and fraud and abuse going on with respect to contracting in Iraq.

By the way, this fellow in this picture testified, this fellow wearing this white striped shirt. These are hundred-dollar bills wrapped in Saran wrap. This is the way they paid contractors in Iraq. He said we told contractors in Iraq, when you come, bring a bag because we pay in cash. He said, we used to throw these around like footballs in the office, hundred-dollar bills, wrapped. They had a bill vault downstairs. So the contractors are told, bring a bag because we pay in cash. He said it was like the Wild West. Someone else said we do a contract, the American taxpayers are going to pay to get a building air conditioned in Iraq, that goes to a subcontractor, it goes to a local contractor, another little contractor, and pretty soon we pay for it. We get a ceiling fan where we should have gotten an air conditioner. It is like the Wild West. Bring a bag and we give you cash.

Finally, a man named Mr. Custer and a man named Mr. Battles. "Sixty Minutes" did a recent program on them. They showed up with virtually no money. Eventually, within a very short period of time—nearly 2 years—they got \$100 million in contracts from the

Federal Government. It is pretty unbelievable.

I have a chart that describes what one of the airport managers said about them.

This is the chart:

Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

From the Baghdad Airport, Director of Airport Security. The allegation is, they took the forklifts from the airport, that belonged to the airport, took them to a hangar, repainted them blue, and then sold them back to the Iraq Provisional Authority.

My point is there is substantial abuse going on in contracting.

We have introduced legislation that has a number of components. No. 1, a piece of legislation that includes as its first section something Senator LEAHY had offered in the last Congress: punishing war profiteers with substantial penalties. Those who would profiteer in a wartime situation are despicable and they ought to bear substantial penalty.

The bill cracks down on substantial cheaters. It restores a Clinton administration rule, a rule that was made during the Clinton administration on suspension and debarment. If you are a contractor and you have exhibited a pattern of overcharging the Federal Government or failing to comply with the law, basically you have been somebody who has cheated the Government and have a pattern of that, you are out. You are going to be debarred. You are not going to be able to bid again. When the present Bush administration took office they immediately rescinded that rule. We would restore that rule by law, requiring full disclosure of contract abuses.

Section 103 provides for greater transparency in contracting. It would require agencies to provide the chairmen and ranking members of the committees in Congress all contractor reports that found contractor misconduct, and put them on a Web site as well.

The bill would force real competition, no more no-bid, sole-source contracts. It would also ban corporate cronyism in contracting. No more circumstances where someone works in a certain area and then goes to the private sector and gets contracts in the same area for which that person worked in the government. It ends cronyism in key government positions.

This is pretty radical. We are daring to suggest that people who are being hired for key jobs ought to be qualified for them. FEMA, the Federal Emergency Management Agency, used to be, I think, one of the stars of the Federal Government. My understanding is 7 of the 11 top positions in FEMA were filled by people who had no experience, just cronies. You want a job for Al or Ken or Vern or Mary? Stick them over there. So 7 of 11 positions were filled by cronies with no experience.

Then take a look at what happened, see what happened when Katrina hit

the shores, the largest national disaster in our country's history, and you see a FEMA that is completely incompetent.

The stories are unbelievable. We had a hearing about that. We had a guy who drove an 18-wheel truck. He was supposed to haul ice in this 18-wheel truck for the Katrina victims, at FEMA's direction. He got a whole truckload of ice and away he went to provide ice to the victims of Katrina. The problem is, he didn't quite get there. FEMA had him drive around the country. He was sent to an airbase here and another place there, and he finally, after sitting at a military base for a long while—with hundreds of other trucks, by the way—he finally had to drive back to New York and offload his ice in New York. This is unbelievable.

By the way, I have asked the Department, FEMA agency, how did this happen? How did you spend taxpayers' money to have ice run around this country that should have gone to the victims of Hurricane Katrina and instead we end up paying tens of thousands of dollars and the ice never gets there?

I got a letter from FEMA this week which says: That wasn't our responsibility. That was the Corps of Engineers. FEMA has since corrected that with an e-mail that is disjointed, were they admit that the responsibility was theirs. Their recent reputation for incompetence is pretty well deserved. That is something I am going to the bottom of.

My point is, we need to decide, if we are going to put people in key positions to do key jobs, it ought not be cronies, it ought to be people who have some basic experience that would suggest they can do those jobs.

Finally, we will strengthen whistleblower protections. People who have the courage to blow the whistle on waste, fraud, and abuse ought not be penalized, they ought to be applauded.

That is the legislation I introduced yesterday with 29 cosponsors. Senator CANTWELL will be the 29th sponsor. I ask unanimous consent Senator CANTWELL be added as a cosponsor of this legislation, which is 2361.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. This is not Republican or Democratic, conservative or liberal. It is about being smart and doing the right thing. We have had a lot of circumstances in recent weeks and months where our country has dropped the ball. I mentioned the response to Katrina. I mentioned contracting in Iraq and a range of things. I believe we must do better than that.

Some of it stems from these big sole-source, no-bid contracts. That is too sweet a deal. What you need is competition. We do not want to have this Government favoring one company versus another with sole-source, no-bid contracts. That is an invitation for waste, in my judgment.

I know we have a pretty substantial schedule. I know Senator FRIST has indicated his agenda, what he wants to bring to the floor of the Senate in the coming weeks and months. But let me say I hope we will have time to deal with this issue of honest government and accountability in contracting. That is a piece of legislation that is urgently needed to be passed.

I also hope, in the near future, whether it is 45 days or whatever the days, they are going to continue to review the question of whether the United Arab Emirates should be managing America's ports. Whenever that is done, my hope is we will have up-or-down votes here in the Congress about whether we think this makes any sense at all.

I agree with Congressman HUNTER. Put me down on the side of wanting to protect this country's interests. I guarantee this: We will not be protecting this country's interests to continue down this road of offshoring and outsourcing and deciding this great country of ours does not have the capability to manage its own seaports. What are we thinking about? Of course, we have the capability. The question is, do we have the national will and enough common sense, is there a reservoir of common sense to finally have us doing the right thing?

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.

#### CHILD PREDATORS

Mr. FRIST. Mr. President, I come to the floor to speak to my colleagues about an issue that not a lot of people in this body think about every day—a very large policy issue we talked about over the course of the morning—an issue that shocks me personally but is shocking America, and it is the topic of child sexual predators.

Sometime during the late hours of February 23, 2005, Jessica Marie Lunsford disappeared from her grandparents' Citrus County, FL, home.

She was found dead 3 weeks later in a shallow, 4-foot-deep grave under the back porch of John Couey's mobile home—just where he told authorities she would be.

The little girl's body was sitting upright, her wrists bound with stereo wire, and plastic garbage bags wrapped her tiny, 9-year-old frame. In her arms was the stuffed purple dolphin that had gone missing with her during the night.

Authorities believe after kidnapping and sexually assaulting little Jessica, John Couey, a known sex offender, buried her alive.

This case—the Jessica Lunsford case—riveted and shocked the Nation.

How could someone perpetuate such horrors and against an innocent child? How could the system have allowed a convicted sex offender to move freely and unmonitored, with no warning to the neighbors of the monster in their midst?

Every year, nearly 798,000 children are reported missing—over 58,000 of them are the victims of nonfamily abductions.

One in five girls and one in ten boys are sexually exploited before they reach adulthood. Less than 35 percent of those childhood sexual assaults are reported to authorities.

To make matters worse, the Internet is pushing the boundaries of sexual exploitation, providing child predators with a new, anonymous hunting ground. The Department of Justice reports that one in five children as young as 10 years old receives solicitations online. For parents and for communities, it is time for all of us to wake up.

A recent Dateline NBC series called "To Catch A Predator," vividly demonstrated that many of these cyberstalkers are more eager to trap their young online victims into a real-world nightmare than at any time in the past.

Over the course of a 3-day sting operation in Riverside, CA, Dateline was able to nab 50 Internet child sex predators. The men were caught on hidden camera arriving at a home where they believed a young teen, aged 12 or 13, was waiting to meet them. The police were on hand to apprehend the would-be molesters.

There is no stereotyped child predator. The men came from all walks of life, including a high school teacher, a rabbi, and a law enforcement official. Some had long criminal records that involved previous sexual assault convictions.

The results were shocking, even to the experienced Dateline producers. Just like the Lunsford case, the audacity of these men should be a wake-up call to all of us that we must do more to protect our children from child sexual predators.

How many times have they gotten away with it in the past? How many more are out there cruising cyberspace as I speak right now? How can we protect children from falling into their clutches? There are ways, and this body, the Senate, will address those ways.

On Wednesday, I discussed these questions with John Walsh of FOX's "America's Most Wanted," now a nationally renowned child advocate.

It was after the tragic kidnapping of his 6-year-old son Adam in 1981 that Mr. Walsh devoted his life to protecting America's children.

His organization—the National Center for Missing and Exploited Children—single-handedly raised the issue of child abduction to national prominence. And for that he should be congratulated. It has led to the recovery of

countless children and defended the safety and well-being of countless families across America.

In that meeting on Wednesday, he told me in his 24 years of advocacy, he has not seen an issue more important and more pressing than creating a national sex offenders registry.

He pointed out that when a neighbor down the street has a mean dog, parents know and they warn their children to stay away—to stay away from that yard, to stay away from that house. So, too, parents should have the right to know that the neighbor down the street has a history of sexual violence so they can protect their children from harm.

Here in the Senate, we will act to fight child predators. I am committed to passing child predator legislation this year as part of a broader crime-fighting package. I look forward to working with Chairman SPECTER and the Judiciary Committee to develop this package and accomplish this goal.

We should consider provisions from the Children's Safety Act that I cosponsored with Senator HATCH and which Chairman SPECTER helped report out of the Judiciary Committee last year.

A number of ideas were included: Creating a national sex offenders database searchable by zip code; requiring States to notify one another of the whereabouts of registered offenders; developing a stricter tracking system to monitor repeat violent offenders; requiring DNA fingerprinting of child sexual predators and developing a DNA database to help solve these crimes; imposing enhanced criminal penalties for violent crimes against children under 12; and provisions that can reduce gang violence, strengthen court security, and prevent child pornography.

We should consider the ideas under development by the distinguished Judiciary Committee chairman in the House, Chairman SENSENBRENNER.

When serial rapist Joseph Duncan was caught at a Denny's last summer in Coeur d'Alene with one of his child victims, the only words he uttered to police were, "I had fun. Get me a lawyer." His sick and twisted sense of "fun" was allegedly kidnapping and sexually assaulting Shasta Groene, age 8, and her brother Dylan, age 9, eventually murdering the little boy but not before tying up and beating to death their older brother, their mother, and their mother's boyfriend.

Joseph Duncan was a repeat offender with a 30-year history of sexual assault. He committed his first crime at age 12, preying on a 5-year-old boy. By the time he was 16, Duncan estimates that he had raped 13 young boys, 6 of whom he tied up, others he raped at gunpoint. By 17, medical authorities deemed him a sexual psychopath.

After raping and torturing a 14-year-old boy, Duncan was sent to prison where he served 14 years before being released—only to attack more innocent

child victims. Shasta and Dylan's father said:

There's been so many times I've seen the news announce sex offenders being released into the community. People need to contact their Congressmen, their Senators, and even the President. There's a lot more that can be done.

I would like to tell Mr. Groene that we are listening. We hear your plea and the pleas of so many other Americans who want to see these monsters dealt with.

We are going to act. We will act. We must protect America's children, families, and neighborhoods from these sick predators. Our children are depending on us to keep them safe from the evils that lurk in the shadows.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### 45TH ANNIVERSARY OF THE PEACE CORPS

Mr. HAGEL. Mr. President, I rise today to recognize and honor the achievements of the Peace Corps.

This year marks the 45th Anniversary of the Peace Corps. Over the last 45 years, the Peace Corps has been one of the enduring symbols of America abroad. The Peace Corps has helped create opportunities and hope for people throughout the developing world as it has projected a positive image of America.

In 1961, President John F. Kennedy established the Peace Corps to promote world peace and friendship. Since then, over 182,000 Peace Corps volunteers have served in 138 countries. These volunteers have provided extensive assistance and expertise in agriculture production, business development, education, healthcare, and resource conservation—making significant improvements in the lives of individuals and communities around the world.

As we continue to face the challenges of the 21st Century, the mission of the Peace Corps is more vital than ever. Volunteers continue to offer support and development assistance to countries around the world. They are finding common ways to address global challenges such as endemic poverty and HIV/AIDS.

Today, Peace Corps volunteers, including 50 from my State of Nebraska,

bring their communities an enhanced understanding of foreign cultures and traditions, building bridges of friendship between people that transcend borders, language, and religion.

I congratulate the Peace Corps on its 45 years of achievement and accomplishment and thank the over 182,000 Peace Corps volunteers—including our Senate colleague CHRIS DODD for their good work and important contributions to making a better world.

Thank you.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. BIDEN. Mr. President, I rise today to honor the Peace Corps on its 45th Anniversary.

In his Presidential campaign in 1960, a great hero of mine, President John F. Kennedy, challenged a group of students at the University of Michigan to serve their country by volunteering their time and energies to citizens in developing countries. From those humble beginnings soon emerged the Peace Corps which, for the last 45 years, has been one of the most valuable and unique institutions of American foreign policy.

Since its establishment in 1961, over 182,000 Peace Corps volunteers have served in 138 countries throughout the world. Today, the Peace Corps remains as strong and popular as ever with the number of volunteers in service at a 30-year high. Currently some 7,810 volunteers, including 25 from my home State of Delaware, are working in 75 countries across the globe.

These increased numbers of volunteers have done invaluable work in recent years. Hundreds of Peace Corps volunteers, for instance, have been enlisted in the global fight against HIV/AIDS. The Peace Corps is active in 9 of the 15 Emergency Plan countries identified in the President's Emergency Plan for AIDS Relief, PEPFAR. In addition, volunteers have continued lending their expertise to traditional areas such as environmental conservation, education, food production, and health care.

Over the past year, the innovative Crisis Corps—which draws on former Peace Corps volunteers for short-term emergency and humanitarian assistance—has allowed hundreds of volunteers to assist in tsunami relief efforts in Sri Lanka and Thailand. And in recent months, the Crisis Corps was deployed to the gulf region in the wake of Hurricane Katrina—the first time Peace Corps volunteers have ever been called to serve on U.S. soil.

Through the goodwill and service of its volunteers, the Peace Corps also plays a vital role in our public diplomacy efforts. Volunteers give a human face to the term “American,” bringing personal knowledge of our ideals and attitudes to communities all over the world. In doing so, they help to erode the deep misconceptions of the United States that exist in many cultures. Peace Corps volunteers are truly a top-

notch example of diplomacy through action.

Again, I congratulate the Peace Corps on its 45th anniversary, and convey my deep gratitude to its thousands of current and former volunteers for their service to our country.●

#### EDUCATION FLEXIBILITY PARTNERSHIP ACT

Mr. BURR. Mr. President, I today speak on a bill I introduced, and which the Senate passed last night, to extend the Education Flexibility Partnership Act of 1999, Ed-Flex. My State of North Carolina is one of ten Ed-Flex states. As the citizens of North Carolina know well, gone are the days when an individual with just a high school diploma or GED could make a good living in industries such as textiles and furniture. For the future of North Carolina, it is imperative that we do all that we can to assist all students, regardless of background, reach high academic standards. Only through a strong public education system can we secure a bright economic future for individual citizens and for our communities.

Ed-Flex is a program that allows the Secretary of Education to delegate to states with strong assessment and accountability systems the authority to waive certain Federal education requirements that may, in certain instances, impede local efforts to reform and improve education. By allowing additional flexibility in their implementation of Federal programs, Ed-Flex is designed to help local districts and their schools implement the educational reforms needed to raise student academic achievement.

The Ed-Flex waivers in North Carolina are helping local school systems improve student achievement while meeting Federal No Child Left Behind requirements in a number of ways. Examples of how local schools and districts are using Ed-Flex to advance local reform strategies include: providing tutoring for low-achieving or at-risk students through coordinating Federal, state, and local services; developing more inclusive parent involvement initiatives; collaborating and planning with Head Start, developmental specialists, and faculty from local day care centers to facilitate a smoother transition and more appropriate placement of pre-K students; implementing a hands-on, inquiry-based science curriculum to promote critical thinking skills; providing for ongoing literacy group instruction that allows students to move into and out of the groups, as necessary, during the school year; and expanding afterschool science clubs and purchasing resources for afterschool programs.

Ed-Flex was first enacted as a demonstration program in 1994 as part of Goals 2000: Educate America Act. Initially, the Secretary of Education was authorized to designate six states as Ed-Flex demonstration states. The 1996 amendments to the Goals 2000 legislation authorized the granting of Ed-Flex